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FM AMEMBASSY KHARTOUM  
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INFO RUCNFUR/DARFUR COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RHMFISS/CJTF HOA

UNCLAS SECTION 01 OF 02 KHARTOUM 000393

DEPT FOR AF A A/S CARTER, AF/SPG, AF/E, DRL  
NSC FOR MGAVIN AND HUDSON  
DEPT PLS PASS USAID FOR AFR/SUDAN  
ADDIS ABABA ALSO FOR USAU

SENSITIVE  
SIPDIS

E.O. 12958: N/A  
TAGS: [PGOV](#) [PREL](#) [EAID](#) [KDEM](#) [SOCI](#) [ASEC](#) [AU](#) [UNSC](#) [SU](#)  
SUBJECT: NEC OFFICIAL SUPPORTS STAGGERED ELECTIONS, SHUNS A  
DONOR-DRIVEN PROCESS

REFS: A. Khartoum 382  
[1](#)B. Khartoum 234  
[1](#)C. Khartoum 137  
[1](#)D. 08 Khartoum 1685

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[1](#)1. Summary: One of the nine National Electoral Commission (NEC) members, Mukhtar Assam, stated that the NEC would very soon inform the GNU that full-scale elections by the CPA-intended elections date of July are not technically feasible. Assam said that elections in November-December 2009 or January-February 2010 are much more feasible, if elections on all six levels are held simultaneously. He did not, however, discount the possibility that presidential elections could occur prior to legislative and state elections; in fact, he proposed the idea of tiered-elections to the Commission months ago. Assam lamented that the GNU has not responded to the NEC's budget request (submitted six weeks ago) and expressed concern that the GNU will not have adequate funding to conduct the elections. As Chairman of the NEC Committee responsible for public awareness and civic education, Assam expressed disappointment that donors are trying to "run the show" and said that he will not permit this to happen. He said he would rather have no elections than elections that are not "conducted properly" (i.e. - 100% run by the Sudanese.) End Summary.

[1](#)2. (SBU) On March 17th, National Electoral Commission (NEC) member Professor Mukhtar Assam told poloff that the issuance of the ICC arrest warrant of Government of National Unity (GNU) President Bashir "hasn't disturbed elections planning . . . at least not yet." If anything affects the elections process, said Assam, it will be the budget. As head of the NEC budget committee, Assam said the NEC submitted a budget request to the GNU Presidency six weeks ago. "We have heard nothing since, not even a word," said Assam. "The Government has no money," he added. He told poloff that the northern government (the GoS) was in even worse financial shape than the Government of Southern Sudan (GoSS), because all of its money must go towards building the military and the security forces.

NEC TO STATE THAT ELECTIONS CANNOT BE CONDUCTED BY JULY  
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[1](#)3. (SBU) Poloff asked Assam whether the NEC had started to determine a feasible date for the elections. Assam said that NEC Chairman Abel Alier had tasked him the day before and asked that he write a memo to the GNU stating that full scale elections could not feasibly be conducted by the CPA-intended date of July 2009. "We will finalize the memo tomorrow (March 18)" and send it to the Presidency, said Assam. Assam explained that even if the NEC were to begin voter registration today, per the electoral law, it could not conduct full-scale elections by July (the law requires the registration be completed three months before the election takes

place.) He stated that elections would most likely take place around November-December 2009 or January-February 2010.

14. (SBU) Assam explained to poloff that a federation of 26 small parties submitted a request to the NEC on March 16 to hold GNU presidential elections soon (ref A). Assam said that although the NEC had not yet discussed this specific request, he himself had recommended to the NEC leadership months ago that the six-level elections be conducted at staggered intervals. Assam's suggestion to the NEC was to hold elections for the GNU and GoSS Presidents, as well as the state governors, first, national legislative elections second, and state legislative elections third. He explained that the national and state-level legislative elections should be held separately because the constituencies will be drawn differently for the two elections. Poloff asked Assam if the NEC would consider the request by some parties to hold a GNU presidential election first and soon. "If they [the NEC] accept any proposal, it will be mine," he stated, not discounting the possibility of a presidential election ahead of other elections. Poloff asked Assam if the NEC was feeling any political pressure from the parties (and in particular the NCP) to hold elections early. "There has been no political pressure yet," he said. Deputy Chairman Abdalla Abdalla is the member that is most closely aligned with the GoS/NCP said Assam, and if pressure comes, it will likely come through him.

#### NEC ORGANIZATION AND ASSAM'S VIEW ON DONOR ROLE

15. (SBU) Assam explained that the nine-member NEC has organized itself into four standing committees: 1) voter registration, geographical constituency and delimitation, and public awareness/civic education; 2) coordination with donors, political parties and other players; 3) technical electoral affairs and logistics; and 4) coordination between the 25 state election committees, the Southern Sudan High Committee, and the NEC (refs B-D). Assam is the Chairman of the first committee on voter

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registration, constituencies, and public awareness. He complained that donors are "insisting they run the show themselves," particularly when it comes to civic and voter education. He made it clear that as long as he is the Chairman of the committee that deals with public messaging, donors will not play a role in developing the messaging strategy or choosing the partners or groups that will carry out the civic/voter ed campaign. Assam said that his opinion differs somewhat from the NEC Deputy Chairman Abdalla Abdalla, who is more willing to allow donors to play a more active role in the process. Assam said that donors were welcome to participate in meetings with the NEC, and that the NEC would be fully transparent with them, but he did not want them to run the process. Poloff asked Assam if he was requesting direct budget support to the NEC; he responded "yes." Poloff told Assam that it was highly unlikely that donors will provide only (if any) direct budget support to the NEC and asked what might happen in the event the GoS could not fund elections and donors refused his call for budget support. In my opinion, he said, "either we do it properly, or we don't do it at all." Allowing the process to be Sudanese in nature is the only way that the Commission can respect itself, said Assam.

16. (SBU) Assam told poloff that because many of the NEC members, including the NEC leadership, do not have much background in conducting elections, "much of the responsibility is falling on me." He expressed regret that while the NEC has been established for some months now, it has not achieved much. We must start with public awareness, but we don't have any money [from the GNU] to do it, he said.

#### COMMENT

17. (SBU) While in one respect the NEC is headed in the right direction by informing the GNU that it is technically impossible to hold full-scale elections by July 2009, there are many factors currently at play that could change the direction of elections. These include the NCP's growing desire for a quick, rubber-stamp GNU presidential election to bestow a dubious legitimacy upon a wanted President Bashir. In fact, the NEC's formal memo to the GNU stating that full-scale elections cannot feasibly be conducted by July could

play directly into the hands of the NCP and allow the GNU to push for the separation of elections to be conducted at staggered intervals. If it can convince the NEC to hold the six levels of elections at different times, the NCP members of the GNU may achieve a Presidential election by July (assuming electoral law registration timelines are modified,) if that is in fact what the NCP wants. However, we caution that the NCP does not yet appear to have taken a definitive policy decision on this, and the NCP would still need to negotiate with the SPLM on this timetable. For its part, the SPLM has not yet defined an elections strategy, but may discuss the possibility of early Presidential elections at its next Political Bureau meeting.

18. (SBU) While he is far from the top of the NEC food chain, it is still worrisome to hear Assam say that the only thing he is willing to accept from donors in the way of assistance is direct budget support. Most donors, USG included, will not accept this. If Assam and others in the NEC hold out on this point and refuse other types of donor support, and the GoS cannot afford to provide adequate funding for the NEC to conduct electoral activities (a distinct possibility given the current GOS budget crisis,) then preparation for well-organized, free and fair elections could become impossible. This could make rushed and illegitimate elections even more likely. However, there is still a chance for the international community to engage with the regime and push for properly organized elections. A more pertinent question may be whether we are willing to support an election in which Bashir is the NCP's - and perhaps the only - candidate. The answer, of course, should be no, but the context of the "no" is important - whether it should be purely election-centric or tied in some fashion to regime guarantees and concessions on other issues of importance to the USG, such as full CPA implementation and peace in Darfur. End Comment.

FERNANDEZ